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John Perry Britchett

*John Perry Britchett*  
*Manchester College*

## An Appeal

*To the Right Hon. W. E. GLADSTONE, M.P.,  
Her Majesty's Prime Minister, respecting  
the Suppression of Certain Papers by the  
Government, the "Red River Rebellion,"  
and the Illegal Transfer of the North-  
West Territories to the Canadian  
Government. 1870.*

BY THE

REV. G. O. CORBETT, M.D.,

Author of

"NOTES ON RUPERT'S AMERICA; SHOWING THE HISTORY, LAW, AND RESOURCES OF THOSE  
REGIONS, ADDRESSED TO THE BRITISH GOVERNMENT. 1868."

"LETTERS TO THE BRITISH GOVERNMENT ON THE IMPORTANCE OF OPENING THE OVERLAND  
ROUTE FROM CANADA TO BRITISH COLUMBIA; THE PROMOTION OF EMIGRATION, AND  
THE MEANS FOR THE ADMINISTRATION OF JUSTICE THEREIN; AND EARNEST  
APPEALS TO STAY BLOODSHED IN THE RED RIVER SETTLEMENT. 1870."

"A DIARY RECORDING THE BRIGHT DYING TESTIMONY OF THE REV. H. A. SIMCOE, M.A. OXON,  
LATE RECTOR OF EGLOSKERRY-WITH-TREMAINE, AND RURAL  
DEAN OF TRIGG MAJOR, CORNWALL. 1870."

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I HAVE received a letter signed by W. B. Gurdon, Esq., dated 10, Downing Street, Whitehall, October 3rd, 1870, stating that he was directed by Mr. Gladstone to inform me that the subjoined letter has been forwarded to the Colonial Office.

G. O. C.

CLIFTONVILLE HOTEL, MARGATE,  
*October 11th, 1870.*

## AN APPEAL.

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ROYAL PAVILION HOTEL,  
FOLKESTONE,  
*Sept. 28th, 1870.*

SIR,

I respectfully beg leave to draw your attention to the reply made by the late Colonial Secretary to the Marquis of Clanricarde, who recently moved in the House of Lords for the production of my communications to the Colonial Office, and to subjoin further information, although there seems to be very little encouragement given by the Government for laying before it the truth.

The tenor of that reply, as gathered from the newspapers, was, that Her Majesty's Government wished to be economical in saving the expense of printing my papers; that they had not been much read or circulated, and were only "opinions" and "statements of fact without authority;" and that it could not see why they should be printed for the author.\*

In answer, I ask to be allowed to say that this is a misconception, for the author did not write for himself, but, as is plainly expressed therein, the information was collected, not without pains and expense, to be placed before those in high station and authority, to induce them to open that country and

\* *The Times*, June 5th, 1870.

legislate fairly and speedily, so as to prevent rebellion and bloodshed, which would otherwise very likely happen.

That country was and is very little known,—why, then, should the Government adopt a policy which keeps these papers from the members of both Houses of Parliament and from the public, even if they shed ever so little light on it and on the disturbances which have arisen?

Some years ago, when I was summoned to give information before the House of Commons, the Government of that day ordered it to be printed, and you were on the Select Committee; why, after I have had greater acquaintance with that country and made further research on all that relates to it, does the present Government, of which you have the honour to be Prime Minister, throw my papers aside, and keep them from the Houses of Parliament?

In my letters I raised a warning voice, that if the Government did not at once attend to this matter, there would probably be very serious uprisings and complications, which have since actually come to pass. Now, is it usual to depreciate the service or drown the voice of the sailor on board, or the sentinel at his post, when he signalises there is danger ahead? And is it not aside of the mark to reply that they have not been much read or circulated, seeing the Government stands in the way, and knows that the subject-matter of them would naturally confine their perusal to a limited class of readers? I may, however, in passing, remark that disinterested parties and public journals that have perused or reviewed them have been deeply impressed with their contents, and shocked at the way in which the Government has acted in reference to it.

But *economy* is advanced against the appearance of my papers before Parliament, respecting which, I crave permission to inquire

whether it is true economy either to suppress the truth or shirk investigation? For some time beforehand, without pretending to go into the conflicting interests which might coalesce in that land, I sounded the alarm, that there were disturbing elements in the field, which the recent events have shown to have been well founded—in the shedding of blood, in the plunder of property, in the imprisonment of a large number of British subjects, in the barricading of the roads, in the impression created of insecurity in the dispatch of the mails, in harrowing the feelings and developing the anger of the inhabitants to the highest degree, in involving the armed uprising of the French half-breeds—which lands them on a course of anxiety and peril to themselves and others—and in throwing back civilisation for years; and, consequently, even if my papers did contain “opinions,” this opinion at least is proved to have been correct; and other opinions cannot with propriety be lightly regarded, for they come from the bishop, clergy, and the great bulk of the laity, and from some of the greatest legal men in the kingdom; and the judgments delivered by the Courts of Canada against the pretensions of the Hudson’s Bay Company, in respect to the latter, have demonstrated their soundness.

Surely, the judgments of a properly-constituted tribunal cannot be looked down upon as “without authority”? Besides, is it the right course to pronounce without investigation, when that has been solicited? Are there no grave matters calling for scrutiny? Had due investigation been carried out, might it not have been found that there are gentlemen both at home and abroad who could have given sworn information, showing that the Hudson’s Bay Company and its agents have repeatedly violated the terms of their license and the Acts of Parliament, thereby entailing penalties upon them for assuming such a



wrongful course? If a licensed firm in England, the manager of an hotel, of a theatre, or the proprietor of cabs, or other trading firms, breaks an Act of Parliament, he is called to account, and dealt with accordingly; and wherefore is it, then, that the Government seems to rise above these Acts, and departs from this course, and, moreover, actually guarantees the Hudson's Bay Company the gratuity of £300,000, reservations of land, and compensation for losses resulting from the struggles which have ensued? In these respects has not the English Government now done what no former Government ever dreamed of? Besides, to include in the bargain of the transfer reservations of land, must be also regarded as tantamount to the consolidation of obstacles—instead of their removal—for opening and settling those magnificent regions with British subjects from the surplus of our home population, for it is now generally admitted that the interests of the Fur-trading Company are entirely oposed to all such enterprises.

Moreover, the transfer is clearly illegal. It is now pretty well known that the Hudson's Bay Company could not give a legal title\* to a single lot of land in that territory, still less could it legally convey the whole of it to Canada, and on such a footing the Canadian Government cannot legally convey that land to

\* See Act 42 Geo. III., c. 138, and 1 and 2 Geo. IV., cap. 66, the last simply recognising the Hudson's Bay Company as traders under a license for a term of years. The charter of Charles II., 1670, was not sanctioned by Parliament when first granted, nor was it ever renewed after the Act of William and Mary was obtained "for seven years and no longer;" and the Government, through the Right Honourable J. Stansfeld, M.P., &c., has admitted, in the recent debates on that country in Parliament, that even the power of trading in Red River and the Saskatchewan territories was not possessed by the Hudson's Bay Company: how, then, could the Hudson's Bay Company, not having the less power, presume to exercise the greater—that of transferring those tracts of land, and enforcing their own peculiar government over the people out there?

any person or company. Now this is very serious, not only as opening a wide door to endless litigation, but also as preventing individuals from investing their capital to make railways for opening and settling that continent, and furnishes a question on which every one, who is interested in getting a proper title to land there, has a peculiar right to speak or take action, and forms a ground of appeal to every statesman and philanthropist who desires the removal of every barrier against civilisation and every source of controversy and distrust.

And, lastly, that territory is CROWN LAND, and the respect due to the Crown, and the legality of title, alike require that Her Majesty should dispose of it, and not for the Crown to purchase what it already possessed, which again serves to illustrate the economy that may yet lead to new complications, and imposes on Canada a burden it can scarcely bear, and places before it a task which she may not be able to perform—the task of developing and peopling half a continent, in which are districts of sufficient amplitude and wealth to form independent Crown colonies and found kingdoms.\*

I am, Sir,

Your most obedient Servant,

G. O. CORBETT.

To the Right Honourable W. E. Gladstone, Her Majesty's Prime Minister of State, M.P., &c. &c.

\* The troops have reached Red River, but the papers report that much anxiety was felt for the arrival of the new Executive, Colonel Wolseley having no civil powers, and no form of government existing there. There should be a governor, judge, and other officers, who are properly qualified, and who are neither creatures of the Hudson's Bay Company, nor partisans of any section of the community; so that justice and good government may be administered according to law and without partiality.

P.S.—Without expressing an opinion on the contents, I sub-join the following extracts from letters lately received by me from two respectable settlers at Red River :—

I.

“It is queer times in Red River at present. Imprisonment has been carried on all winter with a very high hand. I think you are fortunate that you are not here in these troublesome times, knowing, as I do, that you are no favourite of the Hudson's Bay Company and the Catholic priests, who are the leading parties in the rebellion ; and it has gone on, step by step, till it cost Red River two lives—one a Scotchman (a native), and the other a Scotch Canadian. The latter was taken prisoner at the same time I was taken, along with forty-six more, and it was during our confinement in prison that the brave and intelligent young Highlander was murdered in cold blood by the rebels. Six men shot at him at the same time, and four balls took effect on his body, but he was not killed outright ; then the leader (a French Canadian), seeing that he was not dead, drew out his pistol, and shot at him on the head, and still he did not kill him ; then the poor man was put into his coffin in this wounded state, and remained for some time still living, when a French half-breed shot at him in his coffin, and thus put an end to his suffering. A great many more of us came very nigh sharing the same fate as poor Scott. I heard Riel sentence Major Boulton, who was in the same room as myself. Riel came and stood at the door of our room, and we were both lying together, covered over with a buffalo robe, as we were almost freezing, when he pronounced the sentence—‘Boulton, prepare to die by twelve o'clock.’ You cannot imagine the shock this gave us both, especially the Major, who, on hearing the sentence of death pronounced on him, knelt down and prayed a most earnest prayer to God to prepare him for death. The Major was put in irons soon after we were all put in prison, and remained so till he was



pardoned. I was the next who was put in irons ; I was in irons two days and a night. Then, after the irons were taken off me, they were put on poor Scott, and kept on him till he was taken out to be shot. Then they were put on Murdoch McLeod, and kept on him till he was liberated from prison. We got into this trouble for trying to do an act of humanity towards our fellow-men who were kept in prison for so long a time—I believe some ten or twelve weeks—and their only crime, as far as I am aware, was loyalty to Queen Victoria ; and, surely, all that has been done to us as loyal subjects by this tyrant will not be overlooked by our great mother across the big waters. I lost about £80 worth of property, besides my imprisonment, and the rebels keep all that they took from us—horses, cutters, guns, &c. &c.

“The Company’s property is catching it ; they have taken most all the Company had at the Portage Post, and at Lane’s they have carried away most of his property. They have butchered upwards of sixty head of cattle, all of Lane’s work oxen ; Dr. Schultz’s property is all taken, and so is Mr. Mair’s. There are a great many Canadians gone back to Canada, and also two or three natives. John James Setter and William Drever, and, I believe, Joseph Monckman is along with Schultz. It will be some stirring times here before all is settled. I believe that nothing short of a strong body of troops will put everything right, and restore peace throughout the settlement. God only knows how the thing is to end. The French may show their power over us to such an extent that will lead to a civil war, and if it once breaks out, the settlement will be ruined. Hoping that all will come right ere long, and that peace will be restored among us, I conclude by wishing you well. I was in prison thirty-two days.”

## II.

“It is such a long time since I had an opportunity of writing to you, that now I feel it a pleasure to be able to sit down and write

you without fear of my letters being opened, and myself put in danger by what might be written therein.

"Since I wrote you last, I have passed through many strange and trying scenes. I was imprisoned all last winter, and, by the goodness of God, delivered from that fearful time, but with shattered health. All last spring I lay trembling on the die between life and death; but, after a while, it turned up life, and I am now, thank God! slowly, but surely, I think, regaining my wonted health.

\* \* \* It is a struggle of civilisation and light against Jesuitical fanaticism and darkness; and, instead of the Hudson's Bay Company being fought against, were to all appearances instigating the movement. There is no doubt but that, to all appearance, the first prime movers in the affair were the Roman Catholic priests, aided and abetted by the Hudson's Bay Company. The thing stood on this wise:—This country was ceded to Canada, unwillingly, by the Hudson's Bay Company. Light—Christian light—and civilisation was about to enter that down-trodden country, and the Jesuits were not slow in comprehending that, by the influx of Protestantism, it would be the death-knell of their soul-destroying superstitions; and, on the other hand, the Hudson's Bay Company saw that by the same cause the fur trade was destroyed. The former saw that their 'craft was in danger to be set at nought;' and the latter, that 'the hope of their gains was gone.' Therefore, if these could show to the outside world that Canada was the cause of trouble in Red River, and that the country was hitherto tranquil, until the advent of Canadians, as a natural consequence the transfer of the country would be stopped, and the land handed back to the Hudson's Bay Company—they being the only power capable of governing the country in peace and quietness. But they were both egregiously sold in their expectations. That miserable caitiff, Riel, the creature of the priests, only wanted power, and when he got that, he went farther than was good for the Hudson's Bay Company. An Irish Fenian priest, who threw off his gown to join the rebellion,

thought that, with the aid of Yankee Fenians, he might strike a blow at the British Empire, and deprive her of her American possessions ; that being gained, they would have Canada and British Columbia as a base of operations against England. Monstrous as their proposals may appear, yet the priests here thought the thing quite feasible. Accordingly, O'D—— put himself in communication with the United States Fenians, and the plan of operations adopted was that the United States Fenians, as being the most numerous, were to attack Canada, and hold them in check, and prevent them from sending forces to Red River, while Riel and Co. would keep Red River in subjection. So confident were they of this plan succeeding, that Riel and his party commenced the initiative by murdering Thomas Scott, one of my fellow-prisoners, merely because he was an Orangeman—a warning to Protestants what they have to expect if Catholicism gains the ascendancy. But, by the kindness of an overruling Providence, the Fenian attack on Canada was a gigantic failure, and the avengers of innocent blood are on their way to Red River. Riel and his accursed crew are now ‘in doubts whereunto the thing will grow.’ Bishop T—— went off in hot haste to Canada, to try what he could do to get Riel and his associates pardoned, but as yet he has got no satisfaction. There is no doubt but that he has got a powerful party in the Canadian Parliament to support him, but it is doubtful whether the Canadian Government will dare to grant a pardon which the majority in the country are against. However, that is of no consequence. There are about a thousand Orangemen on their way to Red River, and sixty prisoners who were imprisoned by Riel last winter—myself among the number—in Red River, all sworn to avenge the death of their murdered brother and comrade. Riel, O'D——, and L——, these three may get a dozen pardons, but that will not save them if they stay in Red River. For my part, I feel indignant at the treatment we have received at the hands of these Jesuits, and, if I should ever chance to come at any of these three men, I would shoot him like a dog, and think it no crime. I have

seen Dr. Schultz in St. Paul, the first time I saw him since he made his escape\* from prison. We had a happy meeting, I assure you. He has returned from Canada, and from thence will join the troops at Lake Superior, and go into the settlement with them. I, on the other hand, will build flat-boats here, and load up my goods, and drop down to Pembina and await the entrance of the troops there. It is now a month since I left the settlement. I expect the troops in about the 20th of August. I shall write you soon again, and continue my narrative.

"Yours, &c."

\* Dr. Schultz made his escape by cutting his buffalo robe into strips, and, forming them into a rope, let himself down over the stockades.

A letter dated August 13th, Red River, represents the country as still in a very "critical position," preventing the transaction of important business until there is protection in the place.

The exact words of the Act 2nd William and Mary, Sess. I., cap. 15, for *confirming* the old charter to the Hudson's Bay Company are as follows:—"Provided always that this Act shall continue and be in force for the term of seven years, and from thence to the end of the next Session of Parliament, and no longer."

On a charter, then, long ago expired, on a lease long since run out, and which was never renewed, the Hudson's Bay Company gets £300,000, and land reservations!

The transfer of the country being illegal, the Acts of the Canadian Parliament in respect thereto must be null and void.